

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

SHAQUE JOHNSON, )  
                        ) Case No. 3:22-cv-136  
*Plaintiff,*       )  
                        ) Judge Travis R. McDonough  
v.                    )  
                        ) Magistrate Judge Debra C. Poplin  
KNOX COUNTY SCHOOLS, *et al.*,    )  
                        )  
*Defendants.*      )  
                        )

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**ORDER**

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Before the Court is Magistrate Judge Poplin's report and recommendation that the Court dismiss Plaintiff's Title IV claims and his Title IX claims against all Defendants except Knox County Schools (Doc. 8).

Plaintiff filed this action *pro se* and moved to proceed *in forma pauperis*. (Docs. 1, 2.) Under the Prison Litigation Reform Act, district courts must screen *pro se* complaints—even when the plaintiff is not a prisoner but seeks *in forma pauperis* status—and *sua sponte* dismiss any claims that are frivolous or malicious, fail to state a claim on which relief may be granted, or name a defendant who is immune. *See* 28 U.S.C. § 1915(e)(2); *Baker v. Wayne Cnty. Fam. Indep. Agency*, 75 F. App'x 501, 502 (6th Cir. 2003) (“The statute requires courts to dismiss *in forma pauperis* complaints that fail to state a claim[] and applies to complaints filed by non-prisoners as well as prisoners.” (citations omitted)). Therefore, Magistrate Judge Poplin screened Plaintiff's complaint prior to considering his motion to proceed *in forma pauperis*. (Doc. 9.) Magistrate Judge Poplin entered a report and recommendation, recommending that the Court: (1) dismiss Plaintiff's Title VI as to all Defendants, (2) allow Plaintiff's Title IX claim to

proceed against Knox County Schools, and (3) dismiss Plaintiff's Title IX claim as to all remaining Defendants. Plaintiff has not filed objections to the report and recommendation, and his time to do so has passed.

After reviewing the record and the applicable law, the Court agrees with the magistrate judge's findings of fact, conclusions of law, and recommendation. Therefore, the Court **ACCEPTS** and **ADOPTS** the report and recommendation (Doc. 8) and **ORDERS** that all Plaintiff's claims, except his Title IX claim against Knox County Schools, be dismissed from this action. Even though Magistrate Judge Poplin granted Plaintiff's motion to proceed in forma pauperis, she ordered that no process should issue until the undersigned ruled upon the report and recommendation because of the recommendation that the claims against various parties named in the complaint be dismissed. (Doc. 8, at 1.) In light of the Court's adoption of this recommendation, the Clerk is **DIRECTED** to issue the summons for Defendant Knox County Schools upon Plaintiff's completion of its service packet.

**SO ORDERED.**

*/s/ Travis R. McDonough*

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TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE